

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF NEW YORK

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ADAM CROWN,

Plaintiff,

Civil Action No.  
5:13-CV-269 (FJS/DEP)

v.

DANBY FIRE DEPARTMENT, *et al.*,

Defendants.

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APPEARANCES:

OF COUNSEL:

FOR PLAINTIFF:

OFFICE OF ROBERT N. ISSEKS  
6 North Street  
Middletown, New York 10940

ROBERT N. ISSEKS, ESQ.

FOR DEFENDANT BUTLER:

HANNIGAN LAW FIRM PLLC  
1881 Western Avenue  
Suite 140  
Albany, New York 12203

TERENCE S. HANNIGAN, ESQ.

FOR REMAINING DEFENDANTS:

TADDEO, SHAHAN LAW FIRM  
Empire Building  
472 South Salina Street  
Suite 700  
Syracuse, New York 13202

STEVEN C. SHAHAN, ESQ.

ORDER

Currently pending before the court in connection with this matter are two motions brought by the plaintiff to compel discovery, one initially on February 24, 2014, and the other, supplementing that earlier motion, on April 10, 2014. Dkt. Nos. 29, 41. Both motions seek an order compelling defendants to provide, through discovery, information that has, to date, been withheld under claim of attorney-client privilege. Defendants have opposed plaintiff's initial and supplemental motions. Dkt. Nos. 42-44.

Oral argument was held in connection with plaintiff's motions on May 7, 2014, during a telephone conference held on the record. At the close of that telephone conference I issued an oral ruling denying plaintiff's motions, without prejudice. Based upon the parties' submissions and oral argument, and the court's bench decision dated May 7, 2014, which the decision is incorporated herein by reference, it is hereby

ORDERED as follows:

- 1) Plaintiff's initial motion (Dkt. No. 29) and supplemental motion (Dkt. No. 41) to compel are DENIED, without prejudice.
- 2) No costs or attorneys' fees are awarded to any party in connection with plaintiff's motions.



David E. Peebles  
David E. Peebles  
U.S. Magistrate Judge

Dated: May 9, 2014  
Syracuse, NY